

Customer No. 22,852  
Attorney Docket No. 02372.0099

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
 )  
Philip James IONS et al. )  
 ) Group Art Unit:  
Application No.: Not Yet Assigned )  
 ) Examiner:  
Filed: September 15, 2006 )  
 )  
For: DIRECT SMELTING PLANT )  
 )

**U.S. National Phase of PCT Application No. PCT/AU2005/000390**

**MAIL STOP PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§1.56 and 1.97(b), applicant brings to the Examiner's attention the documents listed on attached Form PTO/SB/08 and cited in the international search report. Copies of the listed foreign patent documents and non patent literature documents are attached. Applicant respectfully requests that the Examiner consider the documents listed on attached Form PTO/SB/08 and indicate that they were considered by making an appropriate notation on this form.

This Information Disclosure Statement is being filed with the above-referenced application.

The following are listed on the accompanying PTO/SB/08 and are in a non-English language:

1. German Application No. 3030 714 A1. An English-language abstract of the document is enclosed.
2. German Application No. 3405 137 A1. An English-language abstract of the document is enclosed.

In lieu of a statement of relevance or the translation of the non-English documents, enclosed is an English-language international search report from the Australian Patent Office in the PCT international application, from which this national phase U.S. application is derived, citing these documents and setting forth the relevance thereof.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and applicant determines that the cited documents do not constitute "prior art" under United States law, applicant reserves the right to present to the Office the relevant facts and law regarding the appropriate status of such documents. Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

10/593063

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IAP12 Rec'd PCT/PTO 15 SEP 2006

If there is any fee due in connection with the filing of this Statement, please  
charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: September 15, 2006

By:   
Ernest F. Chapman  
Reg. No. 31,744

Enclosures  
EFC/FPD/gah

IDS Form PTO/SB/08: Substitute for form 1449A/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)				Complete if Known	
				10/593063	
				Application Number	
				Filing Date	
				First Named Inventor	
				Art Unit	
Examiner Name					
Attorney Docket Number		02372.0099			
Sheet	1	of	1		

U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS					
Examiner Initials	Cite No. <sup>1</sup>	Document Number	Issue or Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		US-6,267,799 B1	07-31-2001	Innes et al.	
		US-6,289,034 B1	09-11-2001	Bates	
		US-6,270,553 B1	08-07-2001	Innes	
		US-6,328,783 B1	12-11-2001	Bates	
		US-6,423,114 B1	07-23-2002	Burke	
		US-5,489,325	02-06-1996	Keogh et al.	

**Note: Copies of the U.S. Patent Documents are not Required in IDS filed after October 21, 2004**

FOREIGN PATENT DOCUMENTS						
Examiner Initials	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Translation <sup>6</sup>
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				
		DE-30 30 714 A1	02-18-1982	KELLER OFENBAU GmbH		Abstract
		DE-34 05 137 A1	08-22-1985	SPORKENBACH G A		Abstract

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation <sup>6</sup>
		KAWASAKI STEEL CORP; 'FURNACE CONSTRUCTION OR REPAIR SYSTEM - INVOLVES USE OF PREFABRICATED UNITS ON SITE'; Derwent Abstract of JP 59158983 A2, filed September 8, 1984	

Examiner Signature		Date Considered	
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.